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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/593,877	06/14/2000	Al-Riaz Adatia	255/008	8156

26161 7590 12/09/2002

FISH & RICHARDSON PC
225 FRANKLIN ST
BOSTON, MA 02110

EXAMINER

THAI, CUONG T

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 12/09/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

SL

Office Action Summary

Application No.

09/593,877

Applicant(s)

ADATIA ET AL.

Examiner

CUONG T THAI

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-102 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☒ Claim(s) 1-102 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Group I. Claims 1-15, drawn to a method of implementing a user interface having user-selectable operating modes, classified in class 345, subclass 771.
 - II. Group II. Claims 16-20, drawn to a method of implement a user interface layout areas, classified in class 345, sub-class 788.
 - III. Group III. Claims 21-25, drawn to a virtual instrument on a computer capable of displaying boundary regions on a window, classified in class 345, subclass 781.
 - IV. Group IV. Claims 26-40 and 92-102, drawn to a method of implementing focus control on a user interface, classified in class 345, subclass 802.
 - V. Group V. Claims 41-53, drawn to a user interface for displaying progress access indicator, classified in class 345, subclass 772.
 - VI. Group VI. Claims 54-64, drawn to an audio user interface, classified in class 345, subclass 727.
 - VII. Group VII. Claims 65-80, drawn to a graphical user interface for controlling brightness and playback, classified in class 345, subclass 704.

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VIII. Group VIII. Claims 81-91, drawn to a method for menu operation on the media player, classified in class 345, subclass 810.

2. The inventions are distinct, each from the others because of the following reasons:

Inventions Groups I, II, III, IV, V, VI, VII and VIII are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable.

In the instant case, invention I has separate utility such as presenting a user interface having user-selectable modes as per invention II, III, IV, V, VI, VII and VIII.

Invention II's providing a user interface for layout/region control area occur independently of invention III's virtual instrument and invention IV's graphical interface focus control.

Invention III drawn to a virtual instrument happen independent compare to invention I's user-selectable modes, invention II's layout control area, invention IV's focus control, invention V's user interface for progress indicator, invention VI's audio interface, invention VII's graphical user interface for brightness and playback control, and invention VIII's menu operation on the media player.

Invention IV has a separate utility of a graphical user interface focus control happen independently compare to invention I's user-selectable modes, invention II's layout control area, invention III's virtual instrument, invention V's user interface for progress indicator, invention VI's audio interface, invention VII's graphical user interface for brightness and playback control, and invention VIII's menu operation on the media player.

Invention V's drawn to a user interface for displaying a progress indicator through a graphical user interface and its totally separate from invention I's user-selectable modes, invention II's layout control area, invention III's virtual instrument, invention IV's focus control, invention VI's audio interface, invention VII's graphical user interface for brightness and playback control, and invention VIII's menu operation on the media player.

Invention VI drawn to a audio user interface and it has separate utility from I's user-selectable modes, invention II's layout control area, invention III's virtual instrument, invention V's user interface for progress indicator, invention VII's graphical user interface for brightness and playback control, and invention VIII's menu operation on the media player.

Finally invention VII's graphical user interface for brightness/playback control and invention VIII's menu operation on the media

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player both have separate utility from invention I's user-selectable modes, invention II's layout control area, invention III's virtual instrument, invention IV's focus control, invention V's user interface for progress indicator, and invention VI's audio interface.

See MPEP @ 806.05 (d).

3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification and divergent subject matter, and because the searches for the individual Groups are not coextensive, restriction for examination purposes as indicated is proper.
4. Applicants are advised that the response to this requirement to be completed must include an election of the invention to be examined even though the requirement be traversed.

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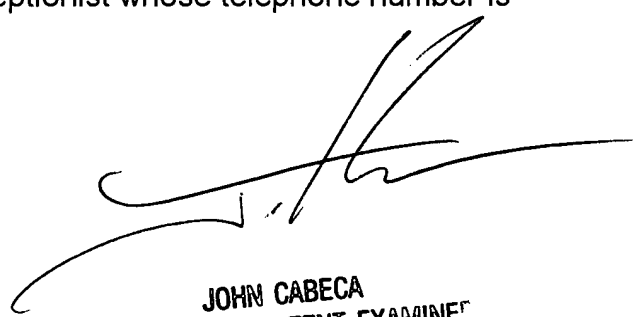
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG T THAI whose telephone number is (703) 308-7234. The examiner can normally be reached on 8:00 am - 4:00 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Cabeca, can be reached at (703) 308-3116.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-8000.

CUONG T THAI
Examiner
Art Unit 2173

December 3, 2002



JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100